IN THE HIGH COURT OF JUDICATURE, ANDHRA PRADESH
AT HYDERABAD

(Special Original Jurisdiction)

WEDNESDAY, THE TWENTY SEVENTH DAY OF APRIL
TWO THOUSAND AND FIVE

PRESENT

THE HON'BLE MS JUSTICE G.ROHINI

WRIT PETITION NO : 9809 of 2005

Between:

Fareeda Hameed, W/o.Syed Fareeduddin,
R/o.Viqar Nagar, Opp. Begumpet Airport,
Hyderabad.

..... PETITIONER

AND

Superintendent, Osmania General Hospital, Hyderabad.

.....RESPONDENT

Petition under Article 226 of the constitution of India praying that in the circumstances stated in the Affidavit filed herein the High Court may be pleased to issue a writ, more particularly one in the nature of writ of Mandamus, declaring the action of the respondent in not considering the representation of the petitioner dated 4/4/2005 seeking furnishing of the medical record of her husband, as illegal, arbitrary and violative of Article 350 of the Constitution of India.

Counsel for the Petitioner:MR.N.BHARAT BABU

Counsel for the Respondent: GP FOR MEDICAL HEALTH & FAMI.WELFARE

This Court at the admission stage made the following:

THE HON'BLE MS. JUSTICE G.ROHINI

WRIT PETITION NO.9809 OF 2005

-

ORDER :

The petitioner claims to be the wife of one Syed Fareeduddin, who is an under-trial prisoner and has been under detention since 7-4-2004 in connection with Crime No.1 of 2003 on the file of S.I.T. Police, Hyderabad. It is stated that her husband is a chronic diabetic and high blood-pressure patient and has been suffering from several ailments and while in judicial custody, he was admitted in Osmania General Hospital and was under treatment for his ailments for sometime. It is stated that the medical record pertaining to her husband is required to provide him better treatment and therefore she made a representation dated 4-4-2005 requesting the respondent – Superintendent of Osmania General Hospital to furnish the copies of the medical record of her husband. It is alleged that the respondent failed to furnish the medical record as sought by her without there being any justifiable reason. Hence, this writ petition seeking a declaration that the inaction on the part of the respondent is arbitrary and illegal.

Having heard the learned Counsel for the petitioner and the learned Government Pleader appearing for the respondent, without expressing any opinion on merits, the Writ Petition is disposed of with a direction to the respondent to consider the application of the petitioner dated 04-04-2005 in accordance with law. It is made clear that if there is any objection to furnish the medical record as sought by the petitioner, it is open to the respondent to reject the application of the petitioner, but the same shall be communicated to the petitioner within a period of two weeks from the date of receipt of this order. No costs.

_____

27th April, 2005.

ghn

-

To

1 Superintendent, Osmania General Hospital, Hyderabad.

2 Two CCs to the Government Pleader for Medical Health and Family Welfare, High Court of A.P., Hyderabad. (O.U.T.)

3 Two CD copies.